

**REMARKS**

In response to the telephone request of Mr. Winston Olvarado, applicant resubmits herewith the translation of the specification, claims and abstract along with a copy of applicant's return receipt postcard showing that the same had been received in the PCT Division of the Patent and Trademark Office on 16 August 2002. Additionally, applicant submits herewith a copy of the Notification of Missing Requirements and a Petition for Extension of Time all of which were forwarded to the Patent Office along with the translation of the specification, claims and abstract in case those papers were also misplaced.

Also attached hereto is a copy of the transmittal letter that accompanied the foregoing documents.

Respectfully submitted,



Paul Fields

Reg. No. 20,298

Attorney for Applicants

DARBY & DARBY, P.C.  
Post Office Box 5257  
New York, NY 10150-5257  
Phone (212) 527-7700

DT17 Rec'd PET/PTD 16 AUG 2002

Return of this card properly stamped, will acknowledge receipt of:

Transmittal letter (2pp.); Notification of Missing Requirements (2pp.); Specification (7pp.); Claims (2pp.); Abstract (1pp.); Petition for Extension of Time (2pp.); check # 8315 in the amount of \$55.00; check # 8316 in the amount of 130.00.

Applicant : Javier PUEYO MOLINA et al.  
Serial No. : 10/089,596  
Filed : ~~April 28, 2002~~ 3/29/02  
For : IMPROVEMENTS IN THE ASSEMBLIES  
OF TEETH OF EARTH MOVING MACHINES  
Attorney : Paul Fields 2186683854 - US  
File No. : 2136/OK388  
Mailed : 8/16/02 Mailer: DP

## EXPRESS MAIL CERTIFICATE

Date 8/16/02 Label No. EV186683854-US

I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail" Office to Addressee" service.

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00 OR CREDIT ANY EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04-0100

Name (Print) DB PeckSignature [Signature]

Customer No.:



07278

PATENT TRADEMARK OFFICE

Docket No.: 2136/OK388

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Javier PUEYO MOLINA; Jorge PALLAS MORENO; Nil VALLVE I BERTRAN; Rafael FERRER RUIZ

Serial No.: 10/089,596

Art Unit:

Confirmation No.:

Filed: April 28, 2002

Examiner:

For: IMPROVEMENTS IN THE ASSEMBLIES OF TEETH OF EARTH MOVING MACHINES

PETITION FOR EXTENSION OF TIME

Box Patent Ext.

Assistant Commissioner for Patents

Washington, DC 20231

Sir:

This is a petition to extend the time for filing a response to the Notification of Missing Requirements dated May 29, 2002 in the above-identified patent application.

The extensions of time indicated below are required and have not yet

been granted:

(in spaces at right enter fee for each indicated extension)

[X]	first month, fee \$110	\$ <u>110</u>
[]	second month, fee \$290 (\$400)	\$
[]	third month, fee \$520 (\$920)	\$
[]	fourth month, fee \$520 (\$1440)	\$
[]	fifth month, fee \$520 (\$1960)	\$
SUBTOTAL		= \$ <u>110</u>
(If applicant is a "small entity", subtract half of subtotal)		(Less) - \$ <u>55</u>
TOTAL		\$ <u>55</u>

A check for the TOTAL amount shown above is enclosed to cover the extension fee. The Commissioner is authorized to charge any deficiency or credit any excess in this fee to Deposit Account No. 04-0100.

Respectfully submitted,

Dated: August 16, 2002



Paul Fields  
Reg. No. 20,298  
Attorney for Applicant(s)

DARBY & DARBY P.C.  
Post Office Box 5257  
New York, NY 10150-5257  
212-527-7700

Serial No. 10/089,596

Docket No. 2136/OK388

FORM PTO-T390  
(REV. 5-93)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

NEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

2136/OK388USO

INTERNATIONAL APPLICATION NO.

INTERNATIONAL FILING DATE

PRIORITY DATE CLAIMED

PCT/ES00/00364

28 September 2000

01 October 1999

TITLE OF INVENTION

**IMPROVEMENTS IN THE ASSEMBLIES OF TEETH OF EARTH MOVING MACHINES**

APPLICANT(S) FOR DO/EO/US

**Javier PUEYO MOLINA; Jorge Pallas MORENO; Nil VALLVE I BERTRAN; and Rafael FERRER RUIZ**

Applicant herewith submits to the United States Designated/Elected office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S. C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S. C. 371 (b) and PCT Articles 22 and 39 (1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S. C. 371 (c) (2) )
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ A translation of the International Application into English (35 U.S. C. 371 (c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c) (3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4))
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98 (with references).
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney an/or address letter.
16. ☐ Other items or information:

**EXPRESS MAIL CERTIFICATE**

8/16/02 EV 186883854-US  
 I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

Name (Print)

Signature

U.S. APPLICATION NO. (if known sec 37 C.)  
10/089,596

INTERNATIONAL APPLICATION NO.:  
PCT/ES00/00364

Attorney's Docket Number  
2136/OK388US0

17. (x) The following fees are submitted:

Basic National Fee (37 CFR 1.492 (a)(1)-(5)): Search Report has been prepared by the EPO (X) or JPO ( )	\$890.00
International preliminary examination fee paid to USPTO (37 CFR 1.482)	\$710.00
No international preliminary examination fee paid to USPTO (37 CFR 4.482) but international search fee paid to USPTO (37 CFR 1.445 (a) (2))...	\$740.00
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....	\$1,040.00
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)....	\$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$ .00

Surcharge of \$130.00 for furnishing the oath or declaration later than ( ) 20 ( ) 30  
months from the earliest claimed priority date (37 CFR 1.492(a)).

Claims	Number Filed	Number Extra	Rate
Total Claims	11-20	0	0 X \$18.00
Independent Claims	1-3	0	0 X \$84.00

Multiple dependent claims(s) (if applicable) + 280

TOTAL OF ABOVE CALCULATIONS =

Reduction by 1/2 for filing by small entity, if applicable.

SUBTOTAL =

Processing fee of \$130.00 for furnishing the English translation later than ( ) 20 ( ) 39  
months from the earliest claimed priority date (37 CFR 1.492(f)).

TOTAL NATIONAL FEE =

Fee for recording the enclosed assignment (37 CFR 1.21(h)). the assignment must be accompanied by an  
appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

TOTAL FEES ENCLOSED =

Amount to be:  
refunded

\$

charged:

\$

a. (X) A check in the amount of \$130.00 to cover the above fees is enclosed.

b. ( ) Please charge my Deposit Account No.04-0100 in the amount of \$ to cover the above fees.

c. (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-0100. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Paul Fields, Esq.

Darby & Darby P.C.

805 Third Avenue

New York, New York 10022-7513

SIGNATURE

NAME Paul Fields

REGISTRATION NO. 20,298

PF



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/089,596	FIRST NAMED APPLICANT Javier Puebo Molina	ATTY. DOCKET NO. 21360K388
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INTERNATIONAL APPLICATION NO. PCT/ES00/00364	
I.A. FILING DATE 09/28/2000	PRIORITY DATE 10/01/1999

Paul Fields  
Darby & Darby  
805 Third Avenue  
New York, NY 10022-7513

DUE: July 29, 2002  
Docketed on 6/5 by DP for

Docketed without file ☐

Attorney [Signature]

CONFIRMATION NO. 2493

371 FORMALITIES LETTER

\*OC00000008190229\*

Date Mailed: 05/29/2002

12-29-02

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Small Entity Statement

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English.
- Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 30 months from the priority date (37 CFR 1.492(f)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

- ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$195** for a Small Entity:

- \$65 Late oath or declaration Surcharge.
- \$130 for English translation surcharge required.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 305-6421

**PART 2 - OFFICE COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/089,596	PCT/ES00/00364	2136OK388

FORM PCT/DO/EO/905 (371 Formalities Notice)



\*\*\*\*\*  
\*\*\* RX REPORT \*\*\*  
\*\*\*\*\*

RECEPTION OK

TX/RX NO	5384
CONNECTION TEL	
SUBADDRESS	
CONNECTION ID	DARBY & DARBY P.
ST. TIME	10/31 14:07
USAGE T	02'50
PGS.	20
RESULT	OK